



GRAIG COMMUNITY COUNCIL **GDPR Subject Access Request Policy**

Graig Community Council data controllers may be any of the following:

The Clerk to the Council

The Clerk to the Burial Committee

Graig Community Councillors

Any volunteer who processes data on behalf of Council (such as Allotment Committee Members)

DATA CONTROLLERS MUST:

1. On receipt of a subject access request, you must forward it immediately to the Clerk to the Council for action.
2. We must correctly identify whether the request has been made under the Data Protection legislation.
3. A member of staff, and as appropriate, councillor or council volunteer, who receives a request to locate and supply personal data relating to a SAR must make a full and exhaustive search of the records to which they have access.
4. All the personal data that has been requested must be provided unless an exemption can be applied.
5. We must respond within 30 days after accepting the request as valid.
6. Subject Access Requests must be undertaken free of charge to the requestor unless the legislation permits reasonable fees to be charged.
7. Councillors and staff/volunteers must be made aware of this of and follow this guidance.
8. Where a requestor is not satisfied with a response to a SAR, the council must manage this as a complaint and invoke the Complaints Procedure.

HOW THIS MUST BE CARRIED OUT:

1. Notify the Clerk to the Council upon receipt of a request.
2. We must ensure a request has been received in writing where a data subject is asking for sufficiently well-defined personal data held by Council relating to the data subject. We must clarify with the requestor what personal data they need. They must supply their address and valid evidence to prove their identity. The council will accept the following forms of identification (*These documents must be dated within the past 12 months, + These documents must be dated within the past 3 months):
 - Current UK/EEA Passport
 - UK Photocard Driving Licence (Full or Provisional)
 - Firearms Licence / Shotgun Certificate
 - EEA National Identity Card
 - Full UK Paper Driving Licence
 - State Benefits Entitlement Document*
 - HMRC Tax Credit Document*
 - Local Authority Benefit Document*
 - State/Local Authority Educational Grant Document*
 - HMRC Tax Notification Document
 - Disabled Driver's Pass



- Financial Statement issued by bank, building society or credit card company+
 - Judiciary Document such as Notice of Hearing, Summons or Court Order
 - Utility Bill for supply of gas, electric, water or telephone landline+
 - Most recent Mortgage Statement
 - Most recent Council Tax Bill/Demand or Statement
 - Tenancy agreement
 - Building Society Passbook which shows a transaction in the past 3 months and address
3. Depending on the degree to which personal data is organised and structured, we must search emails (including archived emails and those that have been deleted but are still recoverable). Word documents, spreadsheets, databases, systems, removable media (e.g. data sticks, CDs), tape recordings, paper records in relevant filing systems etc. for which council is responsible.
 4. We must not withhold personal data because we believe it could be misunderstood; instead, we must provide an explanation with the personal data. We must provide the personal data in an intelligible form, which includes giving an explanation of any codes, acronyms and complex terms. The personal data must be supplied in a permanent form except where the person agrees or where it is impossible or would involve undue effort. We may agree with the requestor that they will view the personal data on screen or inspect files on our premises. We must redact any exempt personal data from the released documents and explain why that data is being withheld.
 5. We must make this clear on forms and on the council website.
 6. We must carry out these practices through the use of induction and performance training, as well as through establishing and maintaining appropriate day to day working practices.
 7. A database must be maintained allowing the council to report on the volume of requests and compliance against the statutory timescale.
 8. When corresponding with a complaint, we must advise the requestor that they may complain to the Information Commissioner's Office (ICO) if they remain unhappy with the outcome.

Sample Letters

All letters must include the following information:

- (a) the purposes of the processing;
- (b) the categories of personal data concerned;
- (c) the recipients or categories of recipients to whom personal data has been or will be disclosed, in particular third countries or international organisations, including any appropriate safeguards for transfer of data, such as Binding Corporate Rules** or EU model clauses***;
- (d) where possible, the envisaged period for which personal data will be stored, or, if not possible, the criteria used to determine the period;



- (e) the existence of the right to request rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- (f) the right to lodge a complaint with the Information Commissioners Office (ICO);
- (g) if the data has not been collected from the data subject: the source of such data;
- (h) the existence of any automated decision-making, including profiling and any meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

** "Binding Corporate Rules" is a global data protection policy covering international transfer of personal data out of the European Union. It requires approval of a data protection regulator in the European Union. In most cases this will be the relevant regulator where an organisations headquarters is located. In the UK, the relevant regulator is the Information Commissioner's Office.

*** "EU Model Clauses" are clauses approved by the European Union which govern the international transfer of personal data. The clauses can be between two data controllers or a data controller and a data processor.